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STATUTORY INSTRUMENTS

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**1989 No. 1545**

The Harwich Dock Company  
Harbour Empowerment Order 1988

PART III

WORKS

**Other works subject to licensing by Board**

**12.**—(1) This article applies to any additional permanent structure exceeding a height of 4 metres above deck level and which in this article is hereafter referred to as a “new structure”.

(2) The provisions of section 20 of the Harwich Harbour Act 1974 shall apply (with the necessary modifications) to a new structure and, accordingly, the Company shall not place or permit to be placed on any of their quays any new structure unless they are licensed to do so by the Board under and in accordance with that section as so modified.

(3) When deciding whether or not to grant a licence in accordance with this article the Board shall take account of any detrimental effect to the safety of navigation which may be caused by loss of visual or radar surveillance of the harbour arising from the new structure which is the subject of an application for the licence in question.

(4) The Company shall be entitled to appeal to the Secretary of State on the grounds specified and in accordance with section 23 of the Harwich Harbour Act 1974.